

REMARKS

Claims 33, 35, 37, and 39-42 are in the application.

The claims have been amended to more particularly point out and distinctly claim applicants' invention. Claims 32, 34 and 36 have been cancelled and the subject matter thereof has been incorporated in new claims 40-42. In addition, dependent claims 33, 35, and 37 have been amended so that these claims now depend from the corresponding new claims rather than the cancelled claims. These amendments are fully supported by the application as filed, and present no new matter.

Applicants note that the Examiner has withdrawn his previous rejections in favor of new grounds of rejection set forth in the current Examiner's Action.

The Examiner has objected to claim 36 on formal grounds. However, claim 36 has been cancelled in favor of new claim 40. Consequently, reconsideration and withdrawal of the objection are respectfully requested.

Claims 32, 34, and 36 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite. This rejection is respectfully traversed, and reconsideration and withdrawal of the rejection are respectfully requested as applicable to the presently amended claims.

The Examiner states that the claims indicate that the "any participating person...becom[es] a last new member of the group" and then states that "one other participating person...thereby becom[es] the last new member of the group." The Examiner observes that two different persons cannot both be the last new member of the group. Additionally, the Examiner notes that section (d)(iii) further states that this process of making additional persons the last new member of the group which further makes the term "last new member of the group" indefinite.

To clarify the meaning of the term "last new member of the group," the Examiner has stated that he will interpret this term as being the first participating person included in the group and subsequent participating persons that are added to the group. Therefore, the Examiner states that the term "last new member of the group" identifies one or more participating persons. According to the Examiner's interpretation, the indications of the last new member of the group will also be the indications of the one or more participating person included in the group. The Examiner states that this interpretation allows for steps (d)(ii) and (d)(iii) of the above claims to be performed without variation to the term "last new member of the group."

The Examiner takes the position that claims 32, 34 and 36 are indefinite for failing to particularly point out and distinctly claim the subject matter of the present invention. Particularly, the Examiner addresses the term "last new member of the group" and interprets it as the first participating person included in the group and subsequent participating persons added to the group. Therefore, it is apparent that the Examiner takes the position that there is one or more last new member in the group at any one point of time, which leads to the alleged indefiniteness.

Applicant respectfully argues that the Examiner's construction is erroneous. However, in the interest of advancing prosecution, claims 32, 34 and 36 have now been rewritten as new claims 40, 41 and 42 to expressly state that there is only one last new member of the group at any point in time, and that two different persons cannot be the last new member of the group. The applicant respectfully directs the attention of the Examiner to step (ii) of claims 40 and 41 which expressly state that "said another participating person thereby then becoming the last new member of the group after joining the group". Claim 42 has the equivalent wording for corporations. Another

participating person is newly included in the group and he thereby becomes the last new member of the group, and the previous last new member in step (i) is no longer the last new member. This construction is also supported by the wording in step (ii) of the above claims that "the method working in such a way that there is only one last new member of the group at any point in time." Therefore, only the newly included person in the group becomes the last new member of the group. Accordingly, the applicant submits that this rejection should be withdrawn as applicable to new claims 40, 41 and 42.

The Examiner states that "Claims 32 are rejected" However, from the context, applicant believes the Examiner intended to reject claims 32-35, 37 and 38 under Section 102(e), and, in the interest of expediting prosecution, will respond accordingly.

The applicant thus understand that claims 32-35, 37 and 38 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 7,203,674 ("Cohen"). This rejection is respectfully traversed, and reconsideration and withdrawal of the rejection are respectfully requested as applicable to the amended claims.

The Examiner states that Cohen discloses a method of generating a group of persons from a plurality of participating persons for enabling networking (citing Fig. 5; col. 9, line 55 – col. 10, line 15; the Examiner explaining that subscribers to an electronic dating service can decide to participate in a group date), said method comprising:

- (a) each participating person selecting a set of indications (citing Fig. 5; col. 10, lines 1 – 15; the Examiner explaining that a user can select from the list of upcoming group-date events include criteria such as ethnicity (Asian), location (San Francisco) and age (aged 23-26));
- (b) indicating in the set of indications of said each participating person at least one other participating person that said each participating person wishes to meet

(citing Fig. 5; col. 10, lines 1 – 15; the Examiner explaining by selecting from the list of upcoming group-date events, the user indicates at least one other person that participating person wishes to meet within a certain criteria such as ethnicity (Asian), location (San Francisco) and age (aged 23-26));

(c) recording the set of indications in a database after indicating (citing col. 10, lines 37-40; the Examiner explaining that the number of compatible users who have joined the event are tracked (e.g. number of heterosexual men and heterosexual women are tracked));

(d) processing the set of indications recorded in the database by a computerized system to form the group (citing Fig. 5; col. 10, lines 50-65; the Examiner explaining that prior to the event start time, the system pairs compatible users for a round of dates), comprising:

(i) including as a first member of the group any participating person who has indicated at least one other participating person in the set of indications, thereby also becoming a last new member of the group (citing Fig. 5; col. 10, lines 50-65; the Examiner explaining that prior to the event start time, the system pairs compatible users for a round of dates; a group of two compatible participating persons is formed based on the group-date event criteria);

(ii) including in the group one other participating person indicated in the set of indications of the last new member of the group, said other participating person thereby becoming the last new member of the group after joining the group (citing Fig. 5; col. 10, lines 50-65; the Examiner explaining that prior to the event start time, the system pairs compatible users for a round of dates; a group of two compatible participating persons is formed based on the group-date event criteria);

(iii) repeatedly including new persons to the group by the above step (ii) until another participating person indicated in the set of indications of the last new member of the group is already included in the group (citing Fig. 5; col. 10, lines 50-65; the Examiner explaining that the system creates new pairs of compatible users so that every user goes on a date with a compatible user with whom they have not previously gone on a date with).

Regarding claim 33, the Examiner further states that Cohen discloses all the limitations of claim 32 above, and that Cohen further discloses that the plurality of participating persons are already pre-selected in terms of having already indicated a common time and a common place to meet (citing col. 9, line 55 - col. 10, line 5; col. 11, lines 1-5; the Examiner explaining that group dating provides a way for a user to meet several other users within a predefined timeframe and in a common online group event (place)).

Regarding claim 34, the Examiner states that Cohen discloses a method of generating a group of persons from a plurality of participating persons for enabling networking (citing Fig. 5; col. 9, line 55 – col. 10, line 15; the Examiner explaining that subscribers to an electronic dating service can decide to participate in a group date), said method comprising:

- (a) each participating person selecting a set of indications (citing Fig. 5; col. 10, lines 1 – 15; the Examiner explaining that a user can select from the list of upcoming group-date events include criteria such as ethnicity (Asian), location (San Francisco) and age (aged 23-26));
- (b) indicating in the set of indications of said each participating person at least one other participating person that said each participating person wishes to meet

(citing Fig. 5; col. 10, lines 1 – 15; the Examiner explaining that by selecting from the list of upcoming group-date events, the user indicates at least one other person that participating person wishes to meet within a certain criteria such as ethnicity (Asian), location (San Francisco) and age (aged 23-26));

(c) recording the set of indications in a database after indicating (citing col. 10, lines 37-40; the Examiner explaining that the number of compatible users who have joined the event is tracked (e.g. number of heterosexual men and heterosexual women are tracked));

(d) processing the set of indications recorded in the database by a computerized system to form the group (citing Fig. 5; col. 10, lines 50-65; the Examiner explaining that prior to the event start time, the system pairs compatible users for a round of dates), comprising:

(i) including as a first member of the group any participating person who has indicated at least one other participating person in the set of indications, thereby also becoming a last new member of the group (citing Fig. 5; col. 10, lines 50-65; the Examiner explaining that prior to the event start time, the system pairs compatible users for a round of dates; a group of two compatible participating persons is formed based on the group-date event criteria);

(ii) including in the group one other participating person indicated in the set of indications of the last new member of the group, said other participating person thereby becoming the last new member of the group after joining the group (citing Fig. 5; col. 10, lines 50-65; the Examiner explaining that prior to the event start time, the system pairs compatible users for a round of dates; a group of two compatible participating persons is formed based on the group-date event criteria);

(iii) repeatedly including new persons to the group by the above step ii until the number of persons in the group reaches a predetermined quantity (citing Fig. 5; col. 10, lines 50-65; the Examiner explaining that a group of two compatible participating persons is formed based on the group-date event criteria; predefined limit of two per group).

Regarding claim 35, the Examiner states that Cohen discloses all the limitations of claim 32, and that Cohen further discloses that the plurality of participating persons are already pre-selected in terms of having already indicated a common time and a common place to meet (citing col. 9, line 55 - col. 10, line 5; col. 11, lines 1-5; the Examiner explaining that group dating provides a way for a user to meet several other users within a predefined timeframe and in a common online group event (place)).

Regarding claims 37 and 38, the Examiner states that Cohen discloses all the limitations of claims 32 and 34 and that Cohen further discloses that the set of indications is a list of other participating persons that a participating person wishes to meet (citing Fig. 5; col. 10, lines 1 – 15; the Examiner explaining that by selecting from the list of upcoming group-date events, the user indicates at least one other person that participating person wishes to meet within a certain criteria such as ethnicity (Asian), location (San Francisco) and age (aged 23-26); the list comprises of people that meet this criteria).

In response, the applicant notes that in paragraph 3(a) of the Official Action the Examiner takes the position that Cohen discloses "each participating person selecting a set of indications." However, the applicant respectfully disagrees.

In the subject invention, the indications refer to at least one other participating person that each participating person is interested in meeting. This is expressly stated

in step (a) of new claim 40. Cohen discloses that the user selects from the list of upcoming group date events including criteria such as ethnicity, location and age. It is therefore apparent that the user does not select any person, but only selects a group which he wants to be a part of. It is also apparent that when the user selects the group, he is not aware of the people in the group.

Step (a) in new claim 40 requires that the set of indications of each participating person consists only of at least one other participating person that he wishes to meet. In other words, the set of indications of each participating person does not contain anybody else. The word "only" in step (a) helps to emphasize this. In contrast, in Cohen the selection is a group which might also contain people that the user might not be interested in. Hence, it may not be exclusively those he wishes to meet. This is totally contrary to the teachings of the subject application. Applicant thus respectfully submits that Cohen does not identically disclose the presently claimed invention. Moreover, the claimed invention is totally contrary to any teaching or suggestion in the reference.

In Paragraph 3(b) the Examiner takes the position that Cohen discloses "indicating in the set of indications of said each participating person at least one other participating person that said each participating person wishes to meet".

However, the applicant respectfully traverses as follows: In the presently claimed invention, each participating person in his set of indications indicates only at least one other participating person that he is interested in meeting. This is expressly stated in step (a) of claim 40. It is apparent that claim 40 requires that each participating person *indicates on a personal level*, i.e., the indication arises out of his wish to meet the other person he is interested in. The set of indications comprises people and only those he is interested in meeting is emphasized by the use of the word "only" in step (a).

By way of distinction, in Cohen the user does not indicate any particular person that he wishes to meet, but rather selects the event or group that he wishes to join. Thus the selection is not exclusively those he wishes to meet. This is disclosed in lines 19 to 20 of column 10. When the user joins the group or event, he does not know who exactly he is going to meet. It is not disclosed anywhere in Cohen that the user wishes to meet exactly this other person in the group. Cohen discloses that, shortly before the event start time, the system pairs compatible users for a round of dates. Please refer to lines 50 to 52 of column 10. Hence it is apparent that only after the event starts, does the user know that he is going to meet this particular person. Moreover, the group date event is terminated when all compatible users have had at least one date with each other (col. 10, lines 61 to 63).

To summarize, in Cohen the user chooses the group and the system does the matching of users based on compatible criteria. On the contrary, in the presently claimed invention, each participating person indicates another participating person that he is interested in meeting and the system forms the group. Thus, Cohen does not disclose all the limitation of the presently claimed invention, and Cohen therefore is not anticipatory thereof. Further, there is nothing in Cohen to suggest the presently claimed invention to one of ordinary skill in the art.

Regarding paragraph 3(d)(i) the Examiner states that Cohen discloses "including as a first member of the group any participating person who has indicated at least one other participating person in the set of indications." The applicant respectfully traverses as follows: Cohen does not disclose any participating person becoming the first member of the group. In Cohen, the system simply pairs up compatible users for a round of

dates and they proceed to have dates (col. 10, lines 50 to 52). Nowhere Cohen does indicate that a particular user becomes a first member of the group. In fact, in Cohen, the group has already been formed for the user to join. Thus he cannot be the first member. This is totally contrary to the teachings of the subject application. Thus, applicant submits that Cohen does not identically disclose the presently claimed invention. The presently claimed invention is totally contrary to any teaching or suggestion in the reference.

In paragraphs 3(d)(ii) and 3(d)(iii) the Examiner states that Cohen discloses the claimed invention with respect to new people being included in the group. The Applicant respectfully traverses: In the presently claimed invention, the computerized system processes the set of indications of the last new member of the group to include another participating person in the group. This is expressly stated in step (ii) of new claim 40. Therefore, it is apparent that the computerized system processes the set of indications to include people in the group in a sequential fashion as is expressly stated in step (iii) of claim 40.

By way of distinction, in Cohen, the user directly joins the group or event without being indicated by any other interested user. The system merely pairs up compatible users for a date (col. 10, lines 50-52). Thus, the system in Cohen does not help users to join the event. It only acts on the already joined users. Therefore, the applicant submits that Cohen does not identically disclose the presently claimed invention. The presently claimed invention is totally contrary to any teaching or suggestion in the reference. Therefore, the Applicant submits that Claim 32 is both novel and Inventive over Cohen. Claims 33 and 37 which adds novel features also possesses novelty and inventive step over Cohen.

Regarding new claim 41, corresponding to cancelled claim 34, the distinctions made above are also applicable. Based on the above remarks, new claim 41 is novel and inventive over Cohen.

Further dependent claims 35 and 38 add novel features, thus also possesses novelty and inventive step over Cohen.

Consequently, Cohen does not make out a *prima facie* case of either anticipation or obviousness, and reconsideration and withdrawal of this rejection as applicable to the amended claims are respectfully requested for this reason.

Claims 36 and 39 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen in view of U.S. Appl. 2002/0023090 ("McGeachie"). This rejection is also respectfully traversed, and reconsideration and withdrawal of the rejection are respectfully requested as applicable to the amended claims.

Regarding claim 36, the Examiner states that Cohen discloses a method of generating a group of persons from a plurality of participating persons for enabling networking (citing Fig. 5; col. 9, line 55 – col. 10, line 15; the Examiner explaining that subscribers to an electronic dating service can decide to participate in a group date), said method comprising:

- (a) each participating person selecting a set of indications (citing Fig. 5; col. 10, lines 1 – 15; the Examiner explaining that a user can select from the list of upcoming group-date events include criteria such as ethnicity (Asian), location (San Francisco) and age (aged 23-26));
- (b) indicating in the set of indications of said each participating person at least one other participating person that said each participating person wishes to meet (citing Fig.5; col. 10, lines 1 – 15; the Examiner explaining that by selecting from the list

of upcoming group-date events, the user indicates at least one other person that participating person wishes to meet within a certain criteria such as ethnicity (Asian), location (San Francisco) and age (aged 23-26));

(c) recording the set of indications in a database after indicating (citing col. 10, lines 37-40; the Examiner explaining that the number of compatible users who have joined the event are tracked (e.g. number of heterosexual men and heterosexual women are tracked));

(d) processing the set of indications recorded in the database by a computerized system to form the group (citing Fig. 5; col. 10, lines 50-65; the Examiner explaining that prior to the event start time, the system pairs compatible users for a round of dates), comprising:

(i) including as a first member of the group any participating person who has indicated at least one other participating person in the set of indications, thereby also becoming a last new member of the group (citing Fig. 5; col. 10, lines 50-65; the Examiner explaining that prior to the event start time, the system pairs compatible users for a round of dates; a group of two compatible participating persons is formed based on the group-date event criteria);

(ii) including in the group one other participating person indicated in the set of indications of the last new member of the group, said other participating person thereby becoming the last new member of the group after joining the group (citing Fig. 5; col. 10, lines 50-65; the Examiner explaining that prior to the event start time, the system pairs compatible users for a round of dates; a group of two compatible participating persons is formed based on the group-date event criteria);

(iii) repeatedly including new persons to the group by the above step (ii) until another participating person indicated in the set of indications of the last new member of the group is already included in the group (citing Fig. 5; col. 10, lines 50-65; the Examiner explaining that the system creates new pairs of compatible users so that every user goes on a date with a compatible user with whom they have not previously gone on a date with).

The Examiner admits that Cohen does not specifically disclose that participating persons can also be participating corporations.

The Examiner states that McGeachie discloses that persons can be associated with corporations (citing Fig. 7). The Examiner further states that it is well known to one skilled in the art at the time of the invention that corporations are business entities that cannot perform any functions unless done through the acts of the people that represent and/or control the corporation. The Examiner concludes that it would be obvious to one skilled in the art to allow corporations to communicate within an online one-on-one group to exchange information that may be related to commerce done through various corporations. The Examiner further states that doing so would allow individuals to communicate their ideas to other individuals that share a similar interest or issue they are attempting to solve.

Regarding claim 39, the Examiner states that Cohen, in view of McGeachie, discloses all the limitations of claim 36, and that Cohen further discloses that the set of indications is a list of other participating users (corporations) that a participating user (corporation) wishes to meet (citing Fig. 5; col. 10, lines 1 – 15; the Examiner explaining that by selecting from the list of upcoming group-date events, the user indicates at least one other person that participating person wishes to meet within a certain criteria such

as ethnicity (Asian), location (San Francisco) and age (aged 23-26); the list comprises of people that meet this criteria)).

In response, the applicant respectfully disagrees with the Examiner's analysis as follows:

Cohen teaches a method and system of providing an electronic dating service. Users register themselves with the group and the system enables pairing up with a person based on a certain selection criteria to end in a date. Dating involves only people and not corporations.

McGeachie teaches a method of and system for determining connections between a source party and a target party in a transaction, and is thus nonanalogous art. The system determines the connection based on common identification information. The identification information may include the person's name, the person's date of employment with a company, the person's company name and address, the person's title within the company etc. The system tries to determine contacts in between the source party and the target party based on commonalities in them

First, Cohen provides a dating system or service for individuals. Cohen does not disclose or suggest that the dating service can be used for applications other than people. Moreover, McGeachie does not teach anything about forming a group or joining a group to meet people. McGeachie only teaches how to determine connections between the source party and the target party (Para 0002, McGeachie). Additionally, the problems being solved by both McGeachie and Cohen are different. In light of the above dissimilarities between Cohen and McGeachie, a person skilled in the art will not have been motivated to combine their teachings.

Secondly, Cohen teaches that users join the group to meet other compatible users for the purpose of dating. In Cohen, the group is formed before the users join (col. 10, lines 19-20). Hence it is apparent that the users do not know who is in the group before joining the same. In contrast in the subject invention, each participating corporation selects a set of indications having at least one other participating corporation it wishes to meet (step (a) of claim 42). In the presently claimed invention the participating corporation, by means of selecting one or more participating corporations, is aware as to who at least will be present in the group. Consequently, the group is generated after the set of indications are recorded in the database (steps (b) and (c) of claim 42). Moreover, the purpose of the claimed invention is to enable "networking" (preamble of claim 42). In contrast, the purpose of Cohen's disclosure is to match users for a date, resulting in a one-on-one meeting. Thus, Cohen teaches away from the claimed invention. Cohen taken alone, or in combination with McGeachie, does not teach, suggest or motivate one of ordinary skill in the art to practice the invention claimed in present claim 42.

The combination of Cohen and McGeachie adds nothing to what either reference would disclose or suggest to one of ordinary skill in the art; and the combination of Cohen and McGeachie does not make out a *prima facie* case of obviousness of claim 42.

Further, since Claim 39 adds further novel and inventive features or limitations, it also is addressed to a non-obvious invention.

Reconsideration and withdrawal of this rejection entered under 35 U.S.C. 103(a) as applicable to the amended claims are respectfully requested.

Prompt reconsideration and an early notice of allowance are earnestly solicited.